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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/712,308  | 11/13/2000  | Shell S. Simpson     | 10007660-1          | 8633             |
| 22879 7590 08/05/2009<br>HEWLETT PACKARD COMPANY<br>P O BOX 272400, 3404 E. HARMONY ROAD<br>INTELLECTUAL PROPERTY ADMINISTRATION<br>FORT COLLINS, CO 80527-2400 |             |                      |                     |                  |
| EXAMINER  |             |                      |                     |                  |
| BRINICH, STEPHEN M  |             |                      |                     |                  |
| ART UNIT  |             | PAPER NUMBER         |                     |                  |
| 2625  |             |                      |                     |                  |
| NOTIFICATION DATE   |             | DELIVERY MODE        |                     |                  |
| 08/05/2009  |             | ELECTRONIC           |                     |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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# Office Action Summary

**Application No.**

09/712,308

**Applicant(s)**

SIMPSON ET AL

**Examiner**

STEPHEN M. BRINICH

**Art Unit**

2625

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 4-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-12 is/are allowed.
- 6) ☒ Claim(s) 1, 4-6 and 13-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1, 4, 13-15, & 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Maekawa et al (US 6903832).

Re claims 1, 4, 13, 15, & 17, Maekawa et al discloses (column 2, line 65 - column 3, line 12; column 5, line 62 - column 10, line 44 (particularly column 5, line 64 - column 6, line 6; column 7, lines 12-16; and column 9, line 49-59); and Figures 1 & 4-9) an arrangement in which an external device (e.g. a computer) 101 sends instructions to a printer 102 which are executed by the printer to carry out print jobs (in which the printer generates a hard copy representation of data representing an image), and the printer (specifically, the printer controller 103) sends instructions (a status indication signal) which are executed by the external device 101 to generate the display of a print status page that reflects this status indication signal.

Re claim 3, the instructions are an "agent" of the printer, insofar as they are agents through which the external device

generates a print status display in response to the printer's instructions.

Re claims 13-15 & 17, the external device 101 is readable upon the recited "client".

Re claim 14, Maekawa et al discloses (Figure 5) that the printer and external device are connected by a network.

***Claim Rejections - 35 USC § 103***

3. Claims 5-6, 16, & 18-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maekawa et al.

Re claims 5-6, 16, & 18-23, Maekawa et al does not disclose the specific recited formats for the instructions (HTML, Javascript, or C-Sharp code) or the print status page (Web page).

The selection of a particular known format for conveying or displaying information would be a selection among equivalents of a type judicially recognized as obvious to one of ordinary skill in the art unless the reason for selecting one equivalent over another was to solve an existent problem (*In re Ruff*, 118 USPQ 343).

Further re claim 19 (and dependent claims 20-23), the interface via which the printer sends the instructions (status indication signal) is readable upon the (not further described) recited "I/O port".

***Allowable Subject Matter***

4. Claims 7-12 are allowed.
5. The following is a statement of reasons for the indication of allowable subject matter:

As noted in the 6/17/09 Board of Patent Appeals and Interferences decision, the art of record does not teach (as previously stated by Examiner) executing, by a client, a set of instructions to generate a print job, as required by claims 7 & 11 (and dependent claims 8-10 & 12).

***Conclusion***

6. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application, entry of papers into this application, or other any inquiries of a general nature concerning application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 571-272-1000.

The examiner can normally be reached on weekdays 8:00-5:30, alternate Fridays off.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor Edward Coles can be contacted at 571-272-7402.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300.

Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

/S. M. B./

Examiner, Art Unit 2625

/Thomas D Lee/

Primary Examiner, Art Unit 2625